

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

M.A.P.S., on her own behalf and on behalf of others
similarly situated,

Petitioner–Plaintiff,

v.

ANGEL GARITE, in his official capacity as Assistant
El Paso Field Office Director for U.S. Immigration
and Customs Enforcement and Warden of the El Paso
Processing Center, *et al.*,

Respondents–Defendants.

Case No: 3:25-cv-0171-DB

[PROPOSED] ORDER

Upon consideration of Petitioner-Plaintiff’s Motion for a Preliminary Injunction:

Having determined that Petitioner-Plaintiff (“Petitioner”) and the certified class are likely to succeed on the merits of their claims that the Proclamation violates the Alien Enemies Act (“AEA”), 50 U.S.C. § 21 *et seq.*; that the AEA does not authorize Respondents-Defendants (“Respondents”) to summarily remove them from the United States; that Respondents’ actions implementing removals under the AEA violate due process, the Immigration and Nationality Act, and statutes providing protection for those seeking humanitarian relief; that in the absence of injunctive relief Petitioner and the certified class will suffer irreparable injury in the form of unlawful removal that may be irreversible; and that the balance of hardships and public interest favor temporary relief, it is, therefore,

ORDERED that Petitioner's Motion for a Preliminary Injunction is hereby **GRANTED**; and that Respondents (excluding the President with respect to any injunctive relief), their agents, representatives, and all persons or entities acting in concert with them are hereby:

1. **ORDERED** not to remove Petitioner, or any members of the certified class, from the United States under the Presidential Proclamation entitled "Invocation of the Alien Enemies Act Regarding the Invasion of The United States by Tren De Aragua";
2. **ORDERED** not to transfer Petitioner, or any members of the certified class, from the District;
3. **ORDERED** to provide Petitioner and members of the certified class with notice of any designation as an Alien Enemy under the Proclamation. The notice must:
 - a. Be served at least 30 days prior to any removal pursuant to the Proclamation;
 - b. Be written in a language that the individual understands;
 - c. Inform the individual that they may seek judicial review; and
 - d. Inform the individual of the factual basis for the individual's alien enemy designation;
4. **ORDERED** to provide class counsel with notice of the designation of alien enemies within the Western District of Texas, including:
 - a. Any individual who is currently detained in the Western District of Texas;
 - b. Any individual who was previously detained in the Western District of Texas beginning May 10, 2025; and
 - c. Any individual who was previously designated and then transferred into the Western District of Texas.

It is further **ORDERED** that Petitioners shall not be required to furnish security for costs.

Entered on _____, of May 2025, at _____ a.m./p.m.

DAVID BRIONES
Senior United States District Court Judge